REMARKS

Claims 1-51 and 61-83 are pending in the application. No new matter is being introduced by way of this reply.

Claims 1-7, 11-16, 18-24, 28-30, 32, 33, 35, 36, 38, 39-41, 43-48, 50, 51, 62, 64, 66, 68, 70, 72, and 74-79 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Primak et al. (Pub. No. 2001/0039585), hereinafter "Primak."

Primak does not disclose a DNS server separate from a central server. See Primak, Fig. 7. Page 4 of the present Office Action indicates, however, that it is possible to change Primak's DNS server ("Primak does not disclose the DNS server is separate from the central server . . . it would have been obvious to one of ordinary skill in the art to separate the functionality of the DNS and the central server into multiple segments to lessen the operational overhead towards the DNS server . . ."). Applicant respectfully submits that, even if Primak's DNS server is modified as presented on page 4 of the present Office Action, it is not the same as or make obvious Applicant's invention as claimed in Claim 1 ("a central server . . . provides . . . a candidate server list of at least two candidate servers").

Primak discloses a DNS server similar to a traditional DNS server. The DNS server applies "available capacity", "fastest response", and "client connection quality" criteria to select the best available server. (Primak, Figure 7; page 3, paragraph 0031). In other words, Primak determines a single server (e.g., best server) based on the criteria within the DNS server. Therefore, if Primak were to separate the DNS server into two servers (e.g., a central server and DNS server), the separated servers would still provide traditional DNS service in which the central server would provide a list having only a single server (e.g., the best server based on the criteria) to send the DNS server. Since Primak only provides a single server, Applicant respectfully submits that Primak does not render Applicant's Claim 1 obvious ("a central server . . . provides . . . a candidate server list of at least two candidate servers").

Accordingly, Applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Independent claims 19, 35, 40, 45 and 47 have similar limitations and should be allowable for the reasons presented above.

Claims 17, 34, and 80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Primak in view of Meek et al. (USPN 6,539,426), hereinafter "Meek."

Because these claims depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, Applicant respectfully submits they should be allowed for at least the same reasons.

Claims 8-10, 25-27, 37, 42, 49, 73, and 81-83 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Primak in view of Guenthner et al. (USPN 6,134,588), hereinafter "Guenthner."

Because these claims depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, which were not rejected under 35 U.S.C. § 103(a), Applicant respectfully submits they should be allowed for at least the same reasons.

Claims 61, 63, 65, 67, 69, and 71 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Primak in view of Lin (USPN 6,298,451).

Because these claims depend from the independent claims, the above remarks apply. Therefore, because these claims depend from the independent claims, which were not rejected under 35 U.S.C. § 103(a), Applicant respectfully submits they should be allowed for at least the same reasons.

Claims 1-51, and 61-72 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ballard (USPN 6,078,960) in view of Jindal et al. (USPN 6,092,178), hereinafter "Jindal."

Ballard provides a method for client-side load balancing in which a client computer requests data access over the client-server network. The client computer executes a server selection function to determine which single server to access. The server selection function determines and then accesses the identified server (col. 6, lines 31-44; Fig. 6). In this way, Ballard provides a single server address in response to a client request. However, providing a single server in response to a client request is not the same as providing a "candidate server list of at least two candidate servers," as recited in claim 1.

Likewise, Jindal provides a system where a client request is received by a DNS server. The DNS server retrieves a resource record corresponding to a server to which the client request is to be directed (col. 11, lines 19-33; Abstract). Thus, Jindal provides a single server address to

the client request. However, providing a single server in response to a client request <u>is not the</u> <u>same</u> as providing a "candidate server list of <u>at least two</u> candidate servers" as recited in claim 1.

Since neither Ballard nor Jindal, alone or in combination, teach or suggest the claimed feature of "a central server that . . . provides . . . a candidate server list of <u>at least two</u> candidate servers," as recited in Applicant's claim 1, Applicant respectfully submits that the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Independent claims 19, 35, 40, 45 and 47 have similar limitations and should be allowable for the reasons presented above.

Claims 2-18, 20-34, 36-39, 41-44, 46, 48-51 and 61-72 depend from the independent claims, so the above remarks apply. Therefore, because these claims depend from the independent claims, these claims should be allowed for at least the same reasons.

CONCLUSION

In view of the above remarks, it is believed that all claims (claims 1-51 and 61-83) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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